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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert A. Scott et al.

Title: ENTERIC AND COLONIC
DELIVERY USING HPMC
CAPSULES

Appl. No.: 09/836,627

Filing Date: 04/17/2001

Examiner: Humera N. Sheikh

Art Unit: 1615

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, VA, at Fax Number 571 273-8300 on the date below. <u>Christine Avenoso</u> (Printed Name) <u>Christine Avenoso</u> (Signature) <u>11/16/2005</u> (Date of Deposit)
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RESPONSE ACCOMPANYING AN RCE AND****SUPPLEMENTAL RESPONSE AFTER FINAL REJECTION****UNDER 37 C.F.R. §§ 1.111 and 1.114**

This is a Supplemental Response to the Office Action dated May 20, 2005 having an initially extended time for response of October 20, 2005, which is now being extended for a further month to November 20, 2005. A Petition for the additional month is being submitted with this communication. Should any fee be due, please charge Deposit Account Number 23-0455. In view of the following remarks, Applicants submit that the Application is in condition for allowance and reconsideration is respectfully requested.

RESPONSE

As a supplement to the original response filed on October 19, 2005, and as a follow-up to the teleconference with Examiner Sheikh on November 16, 2005, today, three things are being done: (a) selected claims are being submitted as suggested by

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the Examiner; a Notice of Appeal is being submitted to capture additional subject matter from the application that Applicants believe to be outside the scope of the art; and (c) and RCE is being filed to preserve the ability to work on the case further.

A petition for an additional month (in addition to the previous petition for a two month extension as submitted with the response of October 19, 2005) for a total of three months extension of time is enclosed with this Supplemental Response. Should an additional fee be due, please charge Deposit Account Number 23-0455.

In view of the following, Applicants submit that the Application is now in condition for allowance and reconsideration is respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 6 of this paper.